

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
JERRY POREBSKI	:	VIOLATION:
	:	18 U.S.C. § 1343 (wire fraud - 1 count)
	:	

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. DVI, Inc. (DVI), was a publicly traded corporation headquartered in Jamison, Pennsylvania. DVI was a holding company, which conducted its business through various subsidiaries and affiliates, including DVI Strategic Partners Group, which was located in Chicago, Illinois.
2. DVI, its subsidiaries, and affiliates together formed a specialty finance company that provided secured loan and lease financing to healthcare providers who, in turn, used that financing to lease high cost diagnostic medical equipment.
3. When DVI's leases to the healthcare providers expired, the diagnostic medical equipment became the property of DVI.
4. Defendant JERRY POREBSKI was employed by DVI Strategic Partners Group in Chicago, Illinois as a salesman and customer service representative. He was responsible for locating buyers for, and selling, DVI's off-lease diagnostic medical equipment.

5. Defendant JERRY POREBSKI was authorized to sell and ship DVI's diagnostic medical equipment to middleman companies who would resell the equipment ("vendors"), and to receive checks from those vendors on behalf of DVI.

THE SCHEME

6. From in or about January 2002, through in or about January 2004, in the Northern District of Illinois and the Western District of Pennsylvania and elsewhere, defendant

JERRY POREBSKI

devised and intended to devise a scheme to defraud DVI, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

7. Defendant JERRY POREBSKI faxed invoices to a vendor for the purchase of DVI equipment and shipped the DVI equipment to the vendor for resale.

8. Defendant JERRY POREBSKI received checks from that vendor meant for DVI, and converted the checks to his own use.

9. Defendant JERRY POREBSKI also, at times, instructed the vendor who purchased DVI equipment to send checks to POREBSKI's personal accounts instead of the DVI account.

10. To conceal his fraudulent activity from DVI, defendant JERRY POREBSKI made misrepresentations on company records, stating that certain equipment was part of the company's inventory, when in fact it had been sold, and that certain equipment was obsolete, when in fact it had substantial value.

11. Defendant JERRY POREBSKI, through his fraudulent activity, caused a loss to DVI of approximately \$443,700.

12. On or about February 6, 2002, in the Northern District of Illinois and elsewhere, defendant

JERRY POREBSKI,

for the purpose of executing the scheme described above, knowingly caused to be transmitted by wire communications, in interstate commerce, writings, signs and signals, that is, an invoice for DVI monitors and anesthesia machines, faxed from defendant JERRY POREBSKI in Chicago, Illinois to a vendor in Pennsylvania.

In violation of Title 18, United States Code, Sections 1343 and 2.

PATRICK L. MEEHAN
UNITED STATES ATTORNEY

